

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:13-CV-413-BO

BOBBY GRAY,

Plaintiff,

v.

CAROLYN W. COLVIN,  
Acting Commissioner of  
Social Security,


Defendant.

ORDER

Plaintiff's counsel filed a motion for approval of attorney's fees under § 206(b) of the Social Security Act (Act), 42 U.S.C. § 406(b), in the amount of \$16,160.00. Attorney's fees under section 206(b) of the Act are paid from past-due benefits awarded to a successful claimant. 42 U.S.C. § 406(b). The Commissioner generally withholds 25% of the past-due benefits owed to a claimant to pay potential attorney's fees, and an attorney may receive up to 25% of the past-due benefits. *Id.* Defendant filed a response, stating that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002) it is the duty of the court to determine a reasonable fee.

It is ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$ 16,160.00

SO ORDERED, this 24 day of September, 2015.

  
Terrence W. Boyle  
United States District Judge